

**AMENDMENT**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. - 38. (Cancelled)
39. (Currently Amended) A method for receiving performance content over a network for generating a pseudo-live performance, the method comprising:

detecting a need for the performance content by determining whether stored performance content is out-of-date, wherein the stored performance content is determined to be out-of-date based on a performance content class of the stored performance content;

selecting a process for obtaining the ~~needed~~ performance content from at least one of a plurality of performance transmitters based on a range of global positioning system (GPS) information coordinates that can receive a broadcasting signal from the at least one of the plurality of performance transmitters;

executing the process for obtaining the ~~needed~~ performance content from the at least one of the plurality of performance transmitters; and

generating the pseudo-live performance by mixing content corresponding to ~~one or more portions a portion~~ of the ~~needed~~ performance content with other content, wherein, determining whether stored performance content is out-of-date further comprises:

transmitting a query to determine a time of a latest update of the stored performance content;

receiving the time of latest update of the stored performance content in response to the transmitting of the query;

accessing a time-stamp of the stored performance content; and

determining whether the time-stamp of the stored performance content matches the time of the latest update of the stored performance content.

40. (Currently Amended) The method of claim 39, further comprising:
- accessing a profile, wherein the profile indicates one or more of:
- a type of content desired by an end-user;
- a schedule of an end-user; and
- scheduled times at which content is transmitted by [[a]] the at least one of the plurality of performance transmitter transmitters.

41. (Currently Amended) The method of claim 39, further comprising determining whether a performance transmitter is of a type that is capable of receiving and responding to a content request, wherein the determining further comprises at least one or more of:
- transmitting a query signal to the at least one of the plurality of performance transmitter transmitters;
- passively receiving a signal from the at least one of the plurality of performance transmitter transmitters; and
- accessing a profile.

42. (Currently Amended) The method of claim 39, further comprising:
- generating a content request; and
- transmitting the content request to [[a]] the at least one of the plurality of performance transmitter transmitters via the network.

43. (Currently Amended) The method of claim 39, wherein the selecting [[a]] the process comprises determining an appropriate time to receive content from a performance transmitter.

44. (Currently Amended) The method of claim 39, wherein generating the pseudo-live performance comprises:

retrieving the other content;

decoding at least one or more commands command of the other content; and

performing at least one or more tasks task instructed by the commands.

45. (Currently Amended) The method of claim 44, wherein the at least one or more commands command includes one or more of at least one of: a programming commands command that execute executes a software program, a housekeeping commands command that load, delete, change or overlay performs at least one of loading, deleting, changing and overlaying stored content, and a performance commands command that reproduce reproduces stored content from one or more a specified locations location of a storage device.

46. (Currently Amended) A pseudo-live performance generator, comprising a controller that:

detects a need for performance content by determining that stored performance content is out-of-date, wherein the stored performance content is determined to be out-of-date based on a performance content class of the stored performance content;

selects a process for obtaining the needed performance content from at least one of a plurality of performance transmitters based on a range of global positioning system (GPS) information coordinates that can receive a broadcasting signal from the at least one of the plurality of performance transmitters;

executes the process for obtaining the needed performance content from the at least one of the plurality of performance transmitters; and

generates the pseudo-live performance by mixing content corresponding to one or more portions a portion of the needed performance content with other content, wherein when the controller determines that stored performance content is out-of-date, actions of the controller comprise:

accessing a time of a latest update of the stored performance content,  
accessing a time-stamp of the stored performance content, and  
determining whether the time-stamp of the stored performance content matches the time of a latest update of the stored performance content.

47. (Currently Amended) The pseudo-live performance generator of claim 46, further comprising:

accessing a profile, wherein the profile indicates at least one or more of:  
a type of content desired by an end-user;  
a schedule of an end-user; and  
scheduled times at which content is transmitted [[by a]] the at least one of the plurality of performance transmitter transmitters.

48. (Currently Amended) The pseudo-live performance generator of claim 46, wherein the controller performs at least one or more of:

transmitting a query signal to [[a]] the at least one of the plurality of performance transmitter transmitters;

passively receiving a signal from the at least one of the plurality of performance transmitter transmitters; and  
accessing a profile.

49. (Currently Amended) The pseudo-live performance generator of claim 46, further comprising:

a request generator that generates a content request, wherein the controller transmits the content request to [[a]] the at least one of the plurality of performance transmitter transmitters via the network.

50. (Currently Amended) The pseudo-live performance generator of claim 46, wherein the controller determines an appropriate time to receive content from [[a]] the at least one of the plurality of performance transmitter transmitters.

51. (Currently Amended) The pseudo-live performance generator of claim 46, wherein the controller:

retrieves the other content;  
decodes one or more commands a command of the other content; and  
performs one or more tasks a task instructed by the commands command.

52. (Currently Amended) The pseudo-live performance generator of claim 51, wherein the one or more commands command includes one or more of at least one of: a programming commands command that execute executes a software program, a housekeeping commands command that load, delete, change or overlay performs at least one of loading, deleting,

changing and overlaying stored content, and a performance commands command that reproduces  
reproduces stored content from one or more a specified locations location of a storage device.

53. (Previously Presented) The method of claim 39, wherein the performance content includes multimedia performance content.

54. (Previously Presented) The pseudo-live performance generator of claim 46, wherein the performance content includes multimedia performance content.